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 Index \_\_\_\_\_  
 Dec 1980 \_\_\_\_\_  
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UNITED STATES DISTRICT COURT  
 SOUTHERN DISTRICT OF OHIO  
 WESTERN DIVISION

02 JUN 28 PM 3:34  
 KENNETH J. HOPKINS  
 CLERK

UNITED STATES OF AMERICA, : Case No. CR-1-02-054  
 Plaintiff, : (Judge Weber)  
 v. : MOTION FOR EXPERT  
 TYREESE DORRAN PUGH, : WITNESS FEES  
 Defendant. :

Now comes Defendant, Tyreese D. Pugh, by and through undersigned counsel,  
 and hereby moves this Court for an expert witness fee paid for by the government for an  
 expert in identification for the reasons set forth below.

Respectfully submitted,

Edward J. Felson (0041988)  
 Attorney for Defendant  
 36 East Seventh Street, Suite 1650  
 Cincinnati, Ohio 45202  
 (513) 721-2500

MEMORANDUM

Defendant was arrested for bank robbery. There was no lineup nor  
 showup. Therefore, the only identification is through poor quality photos and the  
 identification abilities of the bank tellers.

It is common knowledge that eyewitness testimony is unreliable. This needs to be  
 explained to the jury at trial. There are experts in this field who are available for a fee.

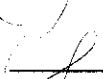
USA v. Pugh  
Motion for Expert Witness Fees  
Page 2

Defendant is indigent. Undersigned counsel is appointed. The government should therefore pay the fee for this expert witness. There is such an expert in Dayton, Ohio who has been qualified by the Hamilton County Common Pleas Court. This expert is believed to be reasonably priced and qualified, and from this area.

### CONCLUSION

For the reasons set forth above, the Court should order the government to pay for this expert witness.

Respectfully submitted,

  
\_\_\_\_\_  
Edward J. Felson (0041988)  
Attorney for Defendant  
36 East Seventh Street, Suite 1650  
Cincinnati, Ohio 45202  
(513) 721-2500

### CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was served upon Wendy Cross, Assistant U.S. Attorney, 221 East Fourth Street, Suite 400, Cincinnati, Ohio 45202, and Attorney J. Robert Andrews, 2662 Madison Road, Cincinnati, Ohio 45208, by ordinary U.S. mail ~~or hand delivery~~ this 28 day of July, 2002.

  
\_\_\_\_\_  
Edward J. Felson (0041988)